

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)
For Design, Provisional, or Utility ApplicationsS-3
PATENT
APPLICATION**COMPLETION Under
Rule 53(f)**In re PATENT APPLICATION of

Inventor(s): DUSCH et al.

Appln. No.: 09 |

Series Code ↑

456,306 |

Serial No. ↑

Atty.Dkt.

PM

265182 |

M#

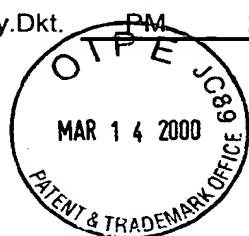
990159BT |

Client Ref

Filed: December 8, 1999

Title: Novel nucleotide sequences coding for the poxB gene

Attn: Application Division

Hon. Asst. Commissioner of Patents
Washington, DC 20231

Date: March 14, 2000

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts** copy attached not yet received
 2. Signed Declaration attached. Original Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and
 "X" box 2A only if top box of the Declaration is X'd and file application copy, or
 "X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
 2B. The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
 3. Specification originally filed in non-English language; hence verified translation attached:
 a. Abstract
 b. # 33 pages of Specification(only spec. & claims)
 c. Drawing 1
 Fig(s). _____

4. Letter filing formal drawing attached.
 5. Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
 6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

7. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in Germany

8.

Application No.	Filing Date	Application No.	Filing Date
(1) 199 51 975.7	October 28, 1999	(2)	
(3)		(4)	
(5)		(6)	



9. _____ (No.) Certified copy (copies): attached; previously filed (date) _____
in U.S. Application No. / filed on _____
10. Attached: _____ (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27.
11. Attached: Sequence Listing in Paper and Computer Readable Form
12. Preliminary Amendment:

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

				Large/Small Entity	Fee Code
13. Basic Filing Fee		Design Application Not Design Application	\$310/\$155 \$690/\$345	+760	106/26 101/201
14. Total Effective Claims	32	minus 20 =	12	x \$18/\$9	+216
15. Independent Claims	3	minus 3 =	0	x \$78/\$39	+0
16. If <u>any</u> proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)			\$260/\$130	+260	104/204
17. Surcharge for filing Declaration/filing fee late			\$130/\$65	+130	105/205
18.			FILING FEE ENCLOSED =	\$1366	
19. Original due date:	March 20, 2000				
20. Petition is hereby made to extend the <u>original</u> due date to cover the date this response is filed for which the requisite fee is attached		(1 mo) (2mos) (3mos) (4mos)	\$110/\$55 = \$380/\$190 = \$870/\$435 = \$1360/\$680 =	+0	115/215 116/216 117/217 118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee			\$130	+130	139
22. If "assignment" box 5 is X'd, add recording fee.....			\$40	+40	581
23. Petition Fee for			\$130	+0	
24.			TOTAL FEE ENCLOSED =	\$1536	

Our Deposit Account No. 03-3975

Our Order No. 21123

C# 265182 M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Pillsbury Madison & Sutro LLP
Intellectual Property Group

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NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments

